

usage, it can program different tempo beat by beat, which can generate same memorized data with this (my) invention.

My invention is aimed to apply for tempo moving music. Moving is not switching. '593 is suitable for switching. Moving is gradual shift of tempo often seen in music of Romantic era, especially in slow movement or transient portion. Also, there are many tempo moving spots in arias in opera. In these moving portion, every beat duration may be different. And these are not written in music sheet. Performer plays with his feeling not minding tempo of each beat in numeric expression.

It is difficult to program each beat with numeric tempo data on apparatus of '593. Or, it is very troublesome work to program.

Here is my invention. With my invention, it is enough for user to simply tap each beat. Not necessary to know tempo in number such as 120 or 96.

Main and big difference between '593 and this invention is necessary operation of user: Tap or Number punch in for each beat.

Claim 17 describes input as tapping. There is no tool for tapping in '593.

Item 3:

Tempo of "sequence" is memorized in '593. Sequence corresponding plural beats.

Item 4:

Input means in '593 is numeric pad. In this invention it is simply a button.

Item 5: Same as item 3

Item 6: same as item 4

## **CLAIM REJECTION – 35USC 103**

### **Item 9 former Claim 3; new claim 20**

I can't find prior document or product which control illuminating time ration of two adjacent devices.

**Item 10 former Claim 11; new Claim 21**

I can't find in '593 nor in prior document or product in market which down-most position changes as shown in Fig. 3 (C).

**Item 12 Claim 6**

Main point of this claim is sequence of steps.

**Item 13 Claim 6**

'832 describes beat timing detection technique. But, main point of claim 6 is sequence and who play in each step.

At first step: all members. So, musically natural ensemble can be performed.

At third step: Minus one: Members except specified part. With method of claim 17, natural moving tempo is kept.

Claim 6 claims method of recording by two-time playing with and without specified part.

**Item 14**

'294 teaches system to sing with rhythm count sound or metronome sound. But, there is not enough disclosure how to make these additional sound; especially when tempo is moving.

**CONCLUSION**

Claims are fundamentally changed.

Further examination is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Seiji Kashioka', written in a cursive style.

Seiji Kashioka